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Attorneys for Defendants,

**SCHERING-PLOUGH CORPORATION GROUP BENEFITS
PLAN (erroneously sued herein as “SCHERING-PLOUGH GROUP
BENEFITS PLAN”), SCHERING-PLOUGH CORPORATION
and MERCK & CO., INC. And Real Party In Interest LIFE
INSURANCE COMPANY OF NORTH AMERICA**

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Attorneys for Plaintiff,

PERRI EDEL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

PERRI EDEL,

Plaintiff,

vs.

SCHERING-PLOUGH GROUP BENEFITS
PLAN; SCHERING-PLOUGH
CORPORATION; MERCK & CO., INC.,

Defendants,

LIFE INSURANCE COMPANY OF NORTH
AMERICA,

Real Party In Interest.

AND RELATED COUNTERCLAIM.

Case No.: C11-02778 TEH

**STIPULATION OF DISMISSAL WITH
PREJUDICE AND [PROPOSED] ORDER
THEREON**

1 **IT IS HEREBY STIPULATED**, by and between the parties to this action, plaintiff PERRI
2 EDEL and defendants SCHERING-PLOUGH CORPORATION GROUP BENEFITS PLAN,
3 SCHERING-PLOUGH CORPORATION and MERCK & CO., INC. and real party in interest LIFE
4 INSURANCE COMPANY OF NORTH AMERICA, through their respective attorneys of record,
5 that the above-entitled action, and all claims for relief therein, shall be dismissed with prejudice
6 pursuant to Federal Rule of Civil Procedure 41(a), with each party to bear its own costs and
7 attorneys' fees.

8
9 Dated: January 12, 2012

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

10
11 By: /s/ Charan M. Higbee
ADRIENNE C. PUBLICOVER
12 CHARAN M. HIGBEE
Attorneys for Defendants,
13 SCHERING-PLOUGH CORPORATION
GROUP BENEFITS PLAN, SCHERING-
14 PLOUGH CORPORATION, and MERCK &
CO., INC. and Real Party In Interest
15 LIFE INSURANCE COMPANY OF NORTH
AMERICA

16
17 Dated: January 12, 2012

LAW OFFICES OF LAURENCE F. PADWAY

18 By: /s/ Laurence F. Padway
LAURENCE F. PADWAY
19 KAREN K. WIND
Attorneys for Plaintiff,
20 PERRI EDEL

[PROPOSED] ORDER

The parties having stipulated that the above-entitled action, and all claims for relief therein, shall be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a), with each party to bear its own costs and attorneys' fees,

IT IS SO ORDERED.

Dated: January 12, 2012

